

January 29, 1976

take their seats and indicate their presence.

CLERK: Mr. President, Senator Murphy had earlier asked to be excused for the balance of the day.

SENATOR SIMPSON: Senator Murphy is excused. I am present. We have some who are present who are not indicating it on the Board. Senator Marvel, Senator Clark, Kelly.

CLERK: Senator Clark, it is going to be a roll call vote.

SENATOR SIMPSON: All right. The Clerk shall start the roll.

CLERK: Roll call vote taken. See page 443, Journal.

SENATOR SIMPSON: Senator Dworak voting no. Clerk, give the totals.

CLERK: 22 ayes, 15 nays, 12 not voting.

SENATOR SIMPSON: Motion lost. We are under Call yet. Moved and seconded to raise the Call. All in favor say aye. Opposed nay. The Call is raised. Other amendments on the desk?

CLERK: Yes.

SENATOR SIMPSON: The Clerk will read.

CLERK: Mr. President, I move to: Read amendment. See page 444, Journal. Signed Senator Frank Lewis.

SENATOR F. LEWIS: Mr. Chairman, this is a simple, self-explanatory amendment. If modular housing is not mobile homes, then they will be taxed as real estate. Mobile homes are taxed as personal property tax. Well, just to make it clear, just to make it clear exactly with the section at hand, my amendment is very simple. It says, manufactured housing units, it doesn't say modular housing, as defined by this section, shall be taxed as real estate. I don't believe there could be any court misunderstanding, any lack of interpretation of that amendment, and I think if that is the intention that certainly we can put it in right there and there won't be a problem.

SENATOR SIMPSON: Senator Cavanaugh. Is Senator Cavanaugh present? Do you waive? Senator DeCamp.

SENATOR DeCAMP: Mr. President, they are taxed as real estate now. I think by now everybody should be aware of the fact that even though we officially don't have a filibuster system in the Legislature, we have the equivalent thereof in the use of amendments for stalling purposes, and if anybody hasn't figured out what is occurring by this point in time, then I would submit to you that the intent is to keep this bill of ever having a vote on it today to allow time for certain things to